

अण्डमान तथा
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No. 159, Port Blair, Thursday, October 30, 2014

अण्डमान तथा निकोबार प्रशासन

ANDAMAN AND NICOBAR ADMINISTRATION

सचिवालय/SECRETARIAT

NOTIFICATION

Port Blair, dated the 30th October, 2014

No. 153/2014/F.No.3-512/2014-Labour.— WHEREAS, a conciliation proceedings initiated by the Conciliation Officer/Assistant Labour Commissioner (HQ), Port Blair between General Secretary, APWD Store & Workshop Workers' Union, Prem Nagar, Port Blair and the Executive Engineer, Workshop Division, APWD, Port Blair together with EO to Chief Engineer, APWD, Port Blair over the issue of payment of OTA at double rate to Jeep & Lorry Drivers attached to Workshop Division, APWD, Port Blair has failed.

AND, WHEREAS, the Conciliation Officer has forwarded a failure report on the Conciliation Proceedings vide No. D1/LE-14(541)/2011/LC/503 dated 18/02/2014 to Government recommending to refer the case to the Labour Court for adjudication under Section (4) of Section 12 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947).

NOW, THEREFORE, in exercise of the powers conferred under Sub-Section (1) of Section 10 read with Sub-Section (5) of Section 12 and Sub-Section (2-A) of Section 10 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947) read with the Notification No. LR-1(59)/55 dated 13th December, 1955 of the Government of India, Ministry of Labour and A & N Administration's Notification No. 144/2008/F.No.17-2/2007-Labour dated 7th Oct., 2008, the Secretary (Labour), A & N Administration, after consideration of the report orders to refer the said dispute in the following Schedule of reference, to the Labour Court, Andaman and Nicobar Islands, Port Blair for submission of Award as per Law.

TERMS OF REFERENCE

"Whether the action of Executive Engineer, Workshop Division, APWD, Port Blair for not extending the OTA benefit of Section 59(1) of Factories Act, 1948 to Jeep & Lorry Drivers of Workshop Division, APWD is legal and justified ? If not, what relief the workmen are entitled to" ?

By order of the Secretary (Labour),

Sd./-

(S.S. Chander Sekhar)
Assistant Secretary (Lab.)